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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/835,529      | 04/17/2001  | Roland Noll          | 5522                | 5693             |

38598 7590 07/22/2004

ANDREWS KURTH L.L.P.  
1701 PENNSYLVANIA AVENUE, N.W. SUITE 300  
WASHINGTON, DC 20006

EXAMINER

THAI, CUONG T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2173

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/835,529

Applicant(s)

NOLL ET AL.

Examiner

CUONG T THAI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on March/25/2004 Election/Restriction.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 63-66 is/are pending in the application.
- 4a) Of the above claim(s) 19-62 and 67-72 is/are withdrawn from consideration.
- 5) ☒ Claim(s) None is/are allowed.
- 6) ☒ Claim(s) 1-18 and 63-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **PART III. DETAILED ACTION**

1. This action is responsive to Election/ Restriction received on March/25/2004.
2. Claims 1-18 and 63-66 are presented for examination regarding to Re-Election has been selected on March/25/2004.

#### ***Specification***

3. The drawings filed on April/17/2001 have been received and approved by the Examiner.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of 35 U.S.C. 102(b) which forms the basis for all obviousness rejections set forth in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9, 11-18 and 63-66 are rejected under 35 U.S.C. 102(b) as being anticipated by Fields et al. (USPN: 6,605,120) hereinafter Fields.

As per claims 1 (method) and 18 (computer readable medium), Fields discloses a method for customizing an interface to accommodate a user's availability of content as the technique of the data of the static and dynamic components is used to display a version of a representative of document to the user (see col. 14, lines 25-27) and the interface determines whether each mouse click is located in one of the static or dynamic components of the documents (see col. 14, lines 41-43), the method comprising:

Determining a link speed that a user machine can accommodate is taught by fields as the technique of caching would be performed as was most efficient for the hosting site to give the best apparent speed to the request user (see col. 19, lines 44-46) or the hosting site preferably

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caches content likely to be requested by a client to improve the speed and reliability of the hosting web site pages (see col. 8, lines 11-13); and

Using a control channel and the determining link speed, creating a display of content choices available to a user on the user machine is taught by Fields as the technique of the hosting site preferably caches content likely to be requested by the client to improve the speed and reliable of the hosting web site pages (see col. 8, lines 11-13) and a set of pages, is retrieved from a content provider web server. Next, the web page is parsed to identify a set of selectable content elements. Next, a representation of the original web page is presented in a user interface. The user will select some of the elements for inclusion in the filter through the user interface, whereby the tool will indicate the selected content elements for inclusion in the filter. The tool constructs the filter so that when the filter is used, the selected content elements are extracted from a retrieved web page from the content provider web server and reused in the recast web page (see col. 3, lines 4-15).

These claims are therefore rejected for the reasons as set forth above.

As per claim 2, wherein the user machine is a personal computer and the step of determining determines a maximum bandwidth at which the personal computer receives content from an Internet Service Provider (ISP) are taught by Fields as the techniques of the client machines 10 may be a personal computer (see col. 11, line 1 and see Fig. 1) are connectable to a computer network Internet Service Provider (ISP) 12 (see col. 4, lines 20-21 and see Fig. 1) and it is typical client computer will be somewhat "lighter weight" than the web server computers (see col. 11, lines 14-15) because the aim of caching pass-through web content is to maximize

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efficiency by minimizing network bandwidth requirements while preserving the transparency of the transaction (see col. 6, lines 10-13). This claim is therefore rejected for the reasons as set forth above.

As per claim 3, the limitation of the display content choices is a dynamic graphical user interface is taught by Fields as the technique of to provide the client based Java applet that retrieves dynamic content from the web content provider's server directly from the end user's browser. This allows the recast page to be loaded from the hosting site's cache to the client browser and invoking the Java applet for the retrieval of marked dynamic content (see col. 6, lines 31-36). This claim is therefore rejected for the reasons as set forth above.

As per claim 4, the limitation of a skin for the dynamic GUI is used is taught by Fields as the technique of if a mouse click is detected in an identified element, a border is drawn around that component, visually identifying it for the user. If there are already borders drawn, the selected element can be highlighted, e.g., change background or border color, in some manner (see col. 14, lines 43-47). This claim is therefore rejected for the reasons as set forth above.

As per claim 5, the limitation of wherein the skin is personalized for the user is taught by Fields as the technique of if there are already borders drawn, the selected element can be highlighted, e.g., change background or border color, in some manner (see col. 14, lines 45-47). This claim is therefore rejected for the reasons as set forth above.

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As per claim 6, the limitation of wherein the skin includes advertisement is taught by Fields as the technique of extracting web paged content, especially, web paged news articles from content provider or source Web sites from use by the hosting or "pass-through" Web site. These articles typically are revenue-generating content for the publisher by carrying advertisement banners (see col. 4, lines 41-45). This claim is therefore rejected for the reasons as set forth above.

As per claim 7, the limitation of wherein the step of creating uses a personal profile is taught by Fields as the technique of the web site could allow the user to choose from among the different formats based on registration of his references in a user profile. Thus, the look and feel of a web site can change dependent upon the requesting audience (see col. 9, lines 40-44). This claim is therefore rejected for the reasons as set forth above.

As per claim 8, the limitation of wherein the content is filtered for the user using the personal profile is taught by Fields as the techniques of the tool constructs the filter so that when the filter is used, the selected content elements are extracted from a retrieved web page from the content provider web server and reused in the recast web page (see col. 3, lines 4-15) and the web site could allow the user to choose from among the different formats based on registration of his references in a user profile. Thus, the look and feel of a web site can change dependent upon the requesting audience (see col. 9, lines 40-44). This claim is therefore rejected for the reasons as set forth above.

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As per claim 9, the limitation of wherein the content is multimedia content is taught by Fields as the technique of extracting web paged content, especially, web paged news articles from content provider or source Web sites from use by the hosting or "pass-through" Web site. These articles typically are revenue-generating content for the publisher by carrying advertisement banners (see col. 4, lines 41-45) and the CD ROM drive 732 are coupled to the system bus 721 is used to store a large program or amount of data, e.g., a multimedia program or presentation (see col. 11, lines 49-52). This claim is therefore rejected for the reasons as set forth above.

As per claim 11, the limitation of wherein the content includes infomercials with links to web sites is taught by Fields as the technique of web paged content, especially, web paged news articles from content provider or source Web sites from use by the hosting or "pass-through" Web site. These articles typically are revenue-generating content for the publisher by carrying advertisement banners (see col. 4, lines 41-45). For example, www.news.Com/news/\* (see col. 13, line 21) and www.ibm.com web site (see col. 13, lines 30-31 and see Fig. 3A). This claim is therefore rejected for the reasons as set forth above.

As per claim 12, the limitation of the creating step is creating an addition display is taught by Fields as the technique of in today web technology, the web page is typically an HTML files which together make up the web page as perceived by the user. Secondary page components such as cascade style sheets and Java applets can also be accommodate by the

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invention (see col. 5, lines 5-10). This claim is therefore rejected for the reasons as set forth above.

As per claim 13, the limitation of wherein the content is broadcast on virtual channels is taught by Fields as the technique of virtual channels connection 16a-16n between network 14 and Internet Service Provider (ISP) 12 (see col. 4, lines 21-24 and see Fig. 1). This claim is therefore rejected for the reasons as set forth above.

As per claim 14, the limitation of wherein the content is routed to the user machine by a software module resident at an Internet Service Provider (ISP) is taught by Fields as the technique of ISP 12 interfaces the client machines 10 and a plurality of web content providers server machine 20. A client machine typically includes a suite of known Internet tools, including a Web browser 13 to access the servers of the network and obtain certain services (see col. 4, lines 25-30). This claim is therefore rejected for the reasons as set forth above.

As per claim 15, the limitation of wherein the content is routed to the user machine by a dedicated server at an ISP is taught by Fields as the technique of an ISP 12 interfaces the client machines 10 and a plurality of web content providers server machine 20. A client machine typically includes a suite of known Internet tools, including a Web browser 13 to access the servers of the network and obtain certain services (see col. 4, lines 25-30). This claim is therefore rejected for the reasons as set forth above.



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As per claim 16, due to the similarity of the limitations of the determining step and the creating step are performed by a software module on the user machine of this claim to the limitations of determine a link speed accommodated at user machine and creating a display of content choices on the user machine of claim 1 as discloses by Fields as the technique of the tool constructs the filter so that when the filter is used, the selected content elements are extracted from a retrieved web page from the content provider web server and reused in the recast web page (see col. 3, lines 4-15).

This claim is therefore rejected for the reasons as set forth above.

As per claim 17, the limitation of wherein software at an ISP location assists in performing the determining step is taught by Fields as the techniques of the technique of an ISP 12 interfaces the client machines 10 and a plurality of web content providers server machine 20. A client machine typically includes a suite of known Internet tools, including a Web browser 13 to access the servers of the network and obtain certain services (see col. 4, lines 25-30). The hosting site preferably caches content likely to be requested by a client to improve the speed and reliability of the hosting web site pages (see col. 8, lines 11-13) by the process in Fig. 5B, when new content has been retrieved from the web content provider web server, step 451. Once the document content has been retrieved from the host provider, the filter database is searched for appropriate filter definition, step 453, the filter definition kept for the web content provider. The information in the filter definition will help the pass through publisher parse the document structure of the web page, extracting the desired information (see col. 8, lines 10-28). This claim is therefore is rejected for the reason as set forth above.

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As per claims 63 (method) and 66 (computer readable medium), due to the similarity of each of these claims to the combination of claims 1, 7-8, and 13; respectively. These claims are therefore rejected for the reasons as set forth above.

As per claim 64, due to the similarity of this claim to the combination of claim 1 (second limitation), 8, and 13, this claim is therefore rejected for the reason as set forth above.

As per claim 65, the limitation of wherein the content is stored in a user cache on the user machine is taught by Fields as the technique of the CD ROM drive 732 coupled to the system bus 721 is used to store a large program or amount of data, e.g., a multimedia or presentation (see col. 11, lines 49-52). This claim is therefore rejected for the reasons as set forth above.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Fields et al. (USPN: 6,605,120) hereinafter Fields in view of Bowman-Amuah (USPN: 6,636,242).

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As per claim 10, Fields discloses the invention substantially as claimed above. Fields, however, does not disclose the limitation of wherein the content is made available from a source using a satellite transponder to multicast the content.

Bowman-Amuah discloses the limitation of wherein the content is made available from a source using a satellite transponder to multicast the content as the technique of multimedia content available from over 100 companies (see col. 16, lines 17-19) using satellite antennas (see col. 92, line 5) to the associated radio frequencies (see col. 92, line 5) and client-server architecture of web based (see col. 25, lines 46-48).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Bowman-Amuah's teaching of wherein the content is made available from a source using a satellite transponder to multicast the content into that of Fields' invention. By doing so, the system would be enhanced by allowing user to apply any possible communication of radio frequency, satellite communication and finally by Internet for accessing multimedia content from variety of providers. Thus, the system would provide the best possible tools to its end users.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach a method for accessing and traversing multimedia content based on user's desired destination from multiple provider sources

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as well as tools for building bandwidth filter in order to perceive the most efficiency of rich content.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (703) 308-7234.

The examiner can normally be reached on 8:00 am - 4:00 pm.

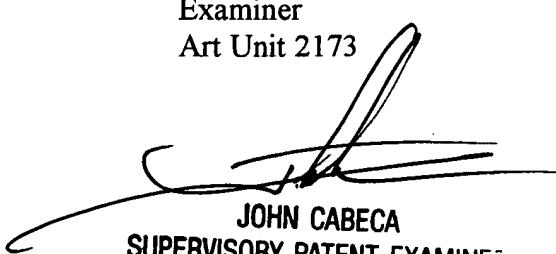
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 20, 2004.

CUONG T THAI  
Examiner  
Art Unit 2173



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100